I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: May 29, 2009

Signature:

Docket No.: 101896-283 (DEP5154USCIP) (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Sean P. Selover et al.

Application No.: 10/711,704

Filed: September 30, 2004

For: METHODS AND DEVICES FOR MINIMALLY

INVASIVE SPINAL FIXATION ELEMENT

PLACEMENT

Confirmation No.: 5703

Art Unit: 3733

Examiner: J. L. Swiger

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

Dear Sir:

In response to the Office Action dated March 3, 2008, please amend the above-identified U.S. patent application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 6 of this paper.